

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,	:	No. 4:02-CR-0032
	:	
	:	
	:	(Judge Brann)
v.	:	
	:	
JOHN HEMBY,	:	
	:	
Defendant.	:	

**ORDER**

**AND NOW**, this 15<sup>th</sup> day of August 2017, in accordance with the accompanying Memorandum, **IT IS HEREBY ORDERED** that:

1. Petitioner's Motion to Correct Sentence Under § 2255 is **DENIED**.  
ECF No. 29.
2. A certificate of appealability is granted on the issue of whether  
*United States v. Johnson*, 135 S.Ct. 2551 (2015), "newly  
recognize[s]" a right for petitioner under 28 U.S.C. § 2255(f)(3).
3. The Clerk of Court is directed to close 4:16-CV-1102.

BY THE COURT:

*s/ Matthew W. Brann*  
Matthew W. Brann  
United States District Judge